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Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION**

**UNITED STATES OF AMERICA,**

**Case No. 3:12-cr-659-MO**

**Plaintiff,**

**v.**

**UNOPPOSED MOTION TO  
CONTINUE FILING DEADLINE  
FOR ROUND THREE MOTIONS**

**REAZ QADIR KHAN,**

**Defendant.**

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The defendant, Reaz Qadir Khan, through counsel, hereby moves this Court for a one-week continuance of this Court's order that requires him to file his Round 3 motions on September 8, 2014. (Amended Case Litigation Schedule, at 2-3 (CR-74).)

Round 3 of the scheduled motions in this case include approximately thirteen different motions addressing constitutional, as-applied, and statutory challenges to various government evidence-gathering tools such as the Foreign Intelligence Surveillance Act (3A-3G) as well as motions related to the indictment, statements of co-conspirators, more complicated aspects of the jury instructions, and certain motions in *limine* (3H-3M). *Id.* The defense has been working on Round 3 motions but due to the number and complexity of the issues, an additional week of research and writing time is needed to complete them.

The Round 3 motions involve two timetables on the Litigation Schedule. (CR-74.) Government responses to Round 3A-3G motions are scheduled to be filed on December 8, 2014. Undersigned counsel conferred with attorneys for the government and Assistant United States Attorney Ethan Knight represented that he has no objection to the request for a one-week extension to the defense filing of Round 3A-3G motions and that he believes despite the defense continuance for filing of motions, the government requires no change to its December 8, 2014, response deadline. Therefore, the defense requests that only the initial filing deadline for Round 3A-3G motions be continued; the scheduled response, reply, and hearing dates need not be changed.

As to the second timetable for motions in Round 3, Government responses to Round 3H-3M motions are scheduled to be filed on October 6, 2014. The government has

no objection to a one-week defense continuance of the filing deadline for defendant's motions; however, the government requests a resetting of its response to motions 3H-3M from October 6, 2014, to October 13, 2014. The defense, accordingly, seeks a reset of its deadline for filing 3H-3M replies from October 13, 2014, to October 20, 2014. Regarding oral argument on Round 3H-3M motions, currently set for November 3, 2014, the government reports that it is unavailable the week of November 17, 2014. The defense suggests that, if the Court is inclined to grant the defense motion for a one-week continuance for filing of Round 3 motions, perhaps the parties might discuss the resetting of oral argument for Round 3H-3M at our scheduled hearing for argument on Round 2 motions, currently set for September 11, 2014, at 3:00.

Respectfully submitted on September 3, 2014.

/s/ Amy Baggio  
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Of Attorneys for Defendant Reaz Khan